

Please type a plus sign (+) inside this box → ☐

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# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☒ Declaration Submitted with Initial Filing OR ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	235/013 US
First Named Inventor	Bradford J. Duft
COMPLETE IF KNOWN	
Application Number	/
Filing Date	
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS FOR TREATING OBESITY

the specification of which ☐ is attached hereto OR ☒ was filed on (MM/DD/YYYY) 06/05/1998 as United States Application Number or PCT International

Application Number PCT/US98/11753 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:  
I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/02B (3-97)  
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**Additional foreign applications:**

[illegible]

**Additional provisional applications:**

Application Number	Filing Date (MM/DD/YYYY)

**Additional U.S. applications:**

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

**Burden Hour Statement:** This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

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Page 1 of 1

## DECLARATION

ADDITIONAL INVENTOR(S)  
Supplemental Sheet  
Page 1 of 1

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

Family Name or Surname

Orville G.

Kolterman

Inventor's  
Signature

*Orville G. Kolterman*

Date

12/6/95

Residence: City

Poway

State

CA

Country

US

Citizenship

US

Post Office Address

15793 Hidden Valley Drive

Post Office Address

City

Poway

State

CA

ZIP

92064

Country

US

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

Family Name or Surname

Inventor's  
Signature

Date

Residence: City

State

Country

Citizenship

Post Office Address

Post Office Address

City

State

ZIP

Country

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Given Name (first and middle (if any))

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Signature

Date

Residence: City

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(July 1998)

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PTO/SB/01 (12-87)

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**DECLARATION — Utility or Design Patent Application**

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
08/870,762	06/06/1997	

☐ Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☒ Customer Number 22249 → ☐ Registered practitioner(s) name/registration number listed below

Place Customer Number Bar Code Label here

Name	Registration Number	Name	Registration Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.


Direct all correspondence to: ☒ Customer Number or Bar Code Label ☐ Correspondence address below

Name	Bradford J. Duft				
Address	EYON & LYON LLP				
Address	633 West Fifth Street, Suite 4700				
City	Los Angeles,	State	CA	ZIP	90071-2066
Country	U.S.	Telephone	(858) 552-8400	Fax	(213) 955-0440

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))	Family Name or Surname
Bradford J.	Duft

Inventor's Signature					Date	6 Dec 99	
Residence: City	Rancho Santa Fe	State	CA	Country	US	Citizenship	US
Post Office Address	P.O. Box 1133						
Post Office Address	Rancho Santa Fe						
City	Santa Fe	State	CA	zip	92067	Country	US

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

FORM PTO-1619A  
Expires 06/30/99  
OMB 0051-0027

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type**

- ☒ New
- ☐ Resubmission (Non-Recordation)  
Document ID#
- ☐ Correction of PTO Error  
Reel #  Frame #
- ☐ Corrective Document  
Reel #  Frame #

**Conveyance Type**

- ☒ Assignment ☐ Security Agreement
- ☐ License ☐ Change of Name
- ☐ Merger ☐ Other

**U.S. Government**  
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- ☐ Departmental File ☐ Secret File

**Conveying Party(ies)**

☐ Mark if additional names of conveying parties attached

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

**Second Party**

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

**Receiving Party**

☐ Mark if additional names of receiving parties attached

Name (line 1)

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

CA

92121

City

State/Country

Zip Code

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0451-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0451-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

<b>FORM PTO-1619B</b> <small>Expires 09/30/99 OMB 0651-0027</small>	<b>Page 2</b>	<b>U.S. Department of Commerce Patent and Trademark Office PATENT</b>																								
<b>Correspondent Name and Address</b> <b>Area Code and Telephone Number</b> <span style="border: 1px solid black; padding: 2px;">(858) 552-8400</span>																										
Name <span style="border: 1px solid black; padding: 2px;">Bradford J. Duft</span>																										
Address (line 1) <span style="border: 1px solid black; padding: 2px;">LYON &amp; LYON LLP</span>																										
Address (line 2) <span style="border: 1px solid black; padding: 2px;">633 West Fifth Street, Suite 4700</span>																										
Address (line 3) <span style="border: 1px solid black; padding: 2px;">Los Angeles, CA 90071-2066</span>																										
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Deposit Account <small>(Enter for payment by deposit account or if additional fees can be charged to the account.)</small>																										
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Authorization to charge additional fees:      Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>																										
<b>Statement and Signature</b>  <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.</i>																										
<table style="width: 100%;"><tr><td style="width: 35%; vertical-align: bottom;">Bradford J. Duft</td><td style="width: 35%; text-align: center; vertical-align: bottom;"></td><td style="width: 30%; text-align: center; vertical-align: bottom;">12/6/99</td></tr><tr><td style="text-align: center;">Name of Person Signing</td><td style="text-align: center;">Signature</td><td style="text-align: center;">Date</td></tr></table>			Bradford J. Duft		12/6/99	Name of Person Signing	Signature	Date																		
Bradford J. Duft		12/6/99																								
Name of Person Signing	Signature	Date																								

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, BRADFORD J. DUFT, a citizen of UNITED STATES, and ORVILLE G. KOLTERMAN, a citizen of UNITED STATES (hereinafter referred to as "ASSIGNORS"), have invented and own a certain invention entitled METHODS FOR TREATING OBESITY for which application for Letters Patent of the United States of America has been executed on even date herewith based on International Application No. PCT/US98/11753, filed June 5, 1998; and

WHEREAS, AMYLIN PHARMACEUTICALS, INC., a corporation organized and existing under and by virtue of the laws of the State of Delaware and having its principal place of business at 9373 Towne Centre Drive, San Diego, CA 92121 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue

said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at San Diego  
California, this 6<sup>th</sup> day of December, 1999.

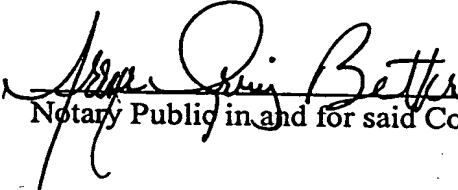
  
BRADFORD J. DUFT

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) ss

On Dec. 6, 1999 before me, IRENE GRIMES BETKE  
BRADFORD J. DUFT, personally appeared

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

  
Notary Public in and for said County and State



WITNESS my hand at San Diego  
California, this 6th day of December, 1999.

Orville G. Kolterman  
ORVILLE G. KOLTERMAN

STATE OF CALIFORNIA )

COUNTY OF SAN DIEGO ) ss

On 12/6/99 before me, Amanda J. Halverson, personally appeared  
Orville G. Kolterman

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Amanda J. Halverson  
Notary Public in and for said County and State

